

U.S. Department of Justice

United States Attorney
Southern District of New York

United States District Courthouse
300 Quarropas Street
White Plains, New York 10601

February 28, 2007

3/1/07
No adjournment. I told you let before. My schedule does not permit a trial.

Re: United States v. Hugenues Pignard
06 Cr. 718 (CM)

Dear Judge McMahon:

This is to request a brief adjournment of the above trial, which is scheduled for April 9, 2007. At the last pretrial conference, Your Honor excluded time under the Speedy Trial clock through March 27, 2007, and according to the Government's records, no days have elapsed on the clock. Counsel for the defendant, Ted Green, consents to this application and agrees to exclusion of time under the Speedy Trial clock until an adjourned trial date, subject to the Court's schedule.

The reason that this adjournment is necessary is that I am scheduled to teach at a training session for newly appointed federal agents of the Department of Labor, in Annapolis, Maryland during the week of April 9, 2007. Approximately six weeks ago, in anticipation of a trial in this matter, I was assigned to serve as co-counsel for the trial. Since that time, I have fully familiarized myself with the case - I have interviewed a cooperating witness in preparation for his trial testimony, I have reviewed the trial evidence and I have met with investigative agents on several occasions. Accordingly, it would be exceptionally inefficient for another AUSA to be

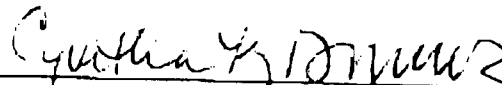
3/1/07
My next available trial date for the trial of this case is May 29. That is not a "brief" adjournment.

assigned to the case at this juncture. Mr. Green has advised me that he is available throughout April and May for a trial.

Accordingly, the Government respectfully requests that Your Honor grant a two or three week adjournment of the trial, which is scheduled for April 9, 2007 and that time be excluded under the Speedy Trial clock, in the interests of justice.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By: 
Cynthia K. Dunne
Assistant United States Attorney
(914) 993-1913

cc: Ted Green, Esq. (By fax)